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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,679	11/10/2003	Aaron Joseph McBride	2966-031367	4653

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EXAMINER

ALI, MOHAMMAD

ART UNIT	PAPER NUMBER
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2166

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/705,679

Applicant(s)

MCBRIDE ET AL.

Examiner

Mohammad Ali

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/8/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the application filed on 11/10/03.

The application has been examined and claims 1-35 are pending in this Office Action.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-35 rejected under 35 U.S.C. 103(a) as being unpatentable over Cristina Thalhammer-Reyero ('Thalhammer-Reyero' hereinafter), USP, 5,980,096 in view of Martinez-Guerra et al. ('Martinez-Guerra' hereinafter), USP, 6,523,172

With respect to claim 1,

Thalhammer-Reyero a method for processing input entered by a user and providing at least one response in a system for autonomously processing the input (see col. 1, lines 35-44), comprising the steps of:

providing rules (see col. 3, lines 54-55 and col. 1, lines 35-44, Thalhammer-Reyero), receiving the input entered by the user, and for each rule (see col. 19, lines 18-32, Thalhammer-Reyero):

determining if the input is recognized (see col. 8, lines 6-7, Thalhammer-Reyero), and

if the input is recognized, sending an appropriate response to the user, wherein the step of determining if the input is recognized (see col. 8, lines 8-10, Thalhammer-Reyero), includes the steps of:

attempting to match the input to at least one pattern (see col. 42, lines 53-55, Thalhammer-Reyero), if no match is found, not recognizing the input and continuing to the next rule, and if a match is found (see col. 42, lines 61-64, Thalhammer-Reyero), either:

recognizing the input and continuing to the step of sending the appropriate response, or conditionally recognizing the input and executing at least one statement validator to determine if the input is appropriately matched by the rule (see col. 9, lines 54-55, Thalhammer-Reyero), the statement validator including the steps of:

querying structured data to determine if a logic statement evaluates to true (see col. 5, lines 54-57, Thalhammer-Reyero), depending upon whether the statement evaluates to true or false (see col. 116, lines 15-16, Thalhammer-Reyero) , either:

recognizing the input and continuing to the step of sending the appropriate response, repeating the step of querying the structured data for the next statement validator, if available, or not recognizing the input and continuing to the next rule (see col. 88, lines 3-15, Thalhammer-Reyero).

Thalhammer-Reyero does not explicitly indicate claimed recognizing input.

Martinez-Guerra teaches claimed recognizing input (recognizing tokens from the input stream, parsing the tokens, and translating a sequence of the tokens to produce the operating directive, see col. 4, lines 48-50, Martinez-Guerra).

It would have been obvious to one ordinary skill in the data processing art at the time present invention to combine the teaching of the cited references because recognizing input of Martinez-Guerra's teaching would have allowed Thalhammer-Reyero's system for interactively define data transformations as suggested by Martinez-Guerra. Recognizing input as taught by Martinez-Guerra allows interoperability and exchange of rules or test and transformation logic (see col. 3, lines 24-25, Martinez-Guerra).

As to claim 2,

Thalhammer-Reyero wherein the statement validator further includes the steps of: taking a relevant part of the input based on code of the rule, querying the structured data using the relevant part to obtain a result (see col. 116, lines 15-16, Thalhammer-Reyero), evaluating a logic statement based on the result, where depending upon whether the statement evaluates to true or false (see col. 88, lines 3-15, Thalhammer-Reyero), either: recognizing the input and continuing to the step of sending the

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appropriate response, repeating the step of querying the structured data for the next statement validator, if available, or not recognizing the input and continuing to the next rule (see col. 5, lines 31-40, Thalhammer-Reyero).

Claims 3-5 have the same subject matter as of claims 1-2 and essentially rejected for the same reasons as discussed above.

As to claim 6,

Thalhammer-Reyero wherein the input includes questions, declarative statements, or other normal communication patterns (see col. 38, lines 37-38, Thalhammer-Reyero).

As to claim 7,

Thalhammer-Reyero the step of preprocessing the input after the input is entered by the user (see col. 37, lines 37-38, Thalhammer-Reyero).

As to claim 8,

Thalhammer-Reyero wherein the step of preprocessing the input includes the step of standardizing the input (see col. 37, lines 37-38, Thalhammer-Reyero).

As to claim 9,

Thalhammer-Reyero wherein the step of standardizing the input is accomplished using one or more of a remove punctuation process, a spell check process, an expand contractions process, and a standardize case process (see col. 37, lines 30-35, Thalhammer-Reyero).

As to claim 10,

Thalhammer-Reyero wherein the step of preprocessing the input also includes the step of extracting structure or meaning from the input (see col. 37, lines 37-38, Thalhammer-Reyero).

As to claim 11,

Thalhammer-Reyero wherein the step of preprocessing the input includes the step of extracting structure or meaning from the input (see col. 37, lines 37-38, Thalhammer-Reyero).

As to claim 12,

Thalhammer-Reyero wherein the step of extracting structure or meaning from the input is accomplished using one or more of a lexical analysis process or a semantic analysis process (see col. 37, lines 37-38 and Table-43, Thalhammer-Reyero).

As to claim 13,

Thalhammer-Reyero wherein the step of sending the appropriate response includes the steps of: extracting executable code from the appropriate response, and running the executable code to embed dynamic information in the appropriate response (see col. 33, lines 61-62, Thalhammer-Reyero).

As to claim 14,

Thalhammer-Reyero the method further includes the steps of, for any rule for which the input is recognized: identifying logic within the rule, and executing the logic (see col. 3, lines 54-60, Thalhammer-Reyero).

As to claim 15,

Thalhammer-Reyero wherein the step of executing logic includes the step of choosing the appropriate response from a set of responses (see col. 3, lines 54-60, Thalhammer-Reyero).

As to claim 16,

Thalhammer-Reyero wherein the step of choosing the appropriate response is achieved by randomly choosing from the set of responses (see col. 3, lines 54-60, Thalhammer-Reyero).

As to claim 17,

Thalhammer-Reyero wherein the step of choosing the appropriate response is based upon a query of outside information (see col. 3, lines 54-60, Thalhammer-Reyero).

As to claim 18,

Thalhammer-Reyero wherein the step of choosing the appropriate response is based upon a query of the structured data (see col. 88, lines 3-15, Thalhammer-Reyero).

As to claim 19,

Thalhammer-Reyero wherein the step of executing logic includes the step of choosing the appropriate response from a set of responses (see col. 88, lines 3-15, Thalhammer-Reyero) based upon the step of executing at least one statement validator to determine if a logic statement in the statement validator evaluates to true (see col. 5, lines 31-40, Thalhammer-Reyero).

Claims 20-35 have the same subject matter as of claims 1-19 and essentially rejected for the same reasons as discussed above.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Ali whose telephone number is (571) 272-4105. The examiner can normally be reached on Monday-Thursday (7:30 am-6:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Mohammad Ali
Primary Examiner
Art Unit 2166

MA
December 9, 2005